

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
DISTRICT COURT E.D.N.Y.

AUG 20 2018

JAMES E GORDON

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

SUFFOLK COUNTY
SARGENT THORNTON
SUFFOLK POLICE

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

LONG ISLAND OFFICE
Complaint for Violation of Civil
Rights
(Non-Prisoner Complaint)

Case No. **CV-18 469 6**
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

AZRACK, J.

BROWN, M. J.
RECEIVED

AUG 20 2018

EDNY PRO SE OFFICE

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>JAMES E GORDON</u>
Street Address	<u>775 CONNETQUOT AVE</u>
City and County	<u>ISLIP TERRACE</u>
State and Zip Code	<u>NEW YORK 11752</u>
Telephone Number	<u>631-859-9299</u>
E-mail Address	<u>ALLGLOBALPRODUCT@AOL.COM</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	<u>SARGENT THORTON</u>
Job or Title (if known)	<u>PROPERTY SECTION</u>
Street Address	<u>30 YAPHANK AVE</u>
City and County	<u>YAPHANK SUFFOLK</u>
State and Zip Code	<u>NEW YORK 11980</u>
Telephone Number	<u>631-852-6000</u>
E-mail Address (if known)	<u>WWW.SUFFOLKPD.ORG</u>

Defendant No. 2

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 3

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

☒ State or local officials (a § 1983 claim)

☐ Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

PLEASE SEE ATTACH

- B. What date and approximate time did the events giving rise to your claim(s) occur?

PLEASE SEE ATTACH

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

PLEASE SEE ATTACH

(A)

all our conversations was done over the phone from property section. A little over a few months ago the property section made a agreement to wait for last part of the case to close before they can give back my property . This was talked about on the phone they wanted a letter from my doctor. 2 other people told me a female clerk and another police /clerk. Later we spoke to Sargent thorton. When I told Sargent thorton about doctor not giving letter or evaluation . That's when Sargent thorton got very agrees and threatening

(b)

a few months ago we agreed about the letter.. We spoke in afternoon hours. Often I couldn't contact them. Messages was left with 2 other police./ clerk and clerk. I have to locate my book with the hours I spoke and the days of the month.

(c)

since I am home most of the time my mother is the witness to all the calls and letters we sent to the property section we have spoken to 2 other people in property section. They kept on wanting the letter from doctor and they said different stories about what will happen. It was the last few calls when Sargent thorton became very threatening. Kept demanding the letter he wanted and he said you will not donate anything . . very persistent on me not to donate. He said a few times don't forget to tell that doctor what I want in that letter some calls he threatened to say that if I don't send the letter he requested that he was going to give my property to a gunshop and he said I have to resolve the gun problem with them. We told Sargent thorton we still had a federal license. Why cant we put them on my mother license. He refused to talk about. He said no I want that letter. That's when we call internal revenue service they said to write reports and send them in what he says.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

N/A

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Please See ATTACH

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

(v)

(A)

I had trouble with my first doctor. He refused to do a evaluation or give any letter. He made excuses and he opted out of the insurance without me knowing what had done. His office refused me going to the doctor. The lied about the reasons. I reported the doctor to the state for investigation.

(V)

(b)

I request damages for myself 3 million dollars.

No policeman is allowed to "Demand " anything from anyone without our consent. With due process.sargent thorton said you are not going to donate the guns, your getting another doctor, you are getting a evaluation and you going to tell that doctor what I said that has to be written in the letter. This is what I want. said. No matter what I have explained to the police man. Sargent thorton said your going to get this letter. I was forced to get a letter from any doctor. I was told that Sargent thorton said I must have this doctor write done in this letter the way Sargent thorton says . The Sargent thorton says the doctor must write in the letter what I tell you mr Gordon. " Sargent thorton said He has to write will you harm your self or anyone else if we give back your firearms. The Sargent thorton said this is what he must write. Sargent thorton says you have to find a doctor who can give you a evaluation. I tried to explain I need time to get a doctor.sargent thorton yells and says there is plenty of doctors around. You have to find a doctor. I will give you time to find a doctor your guns are going no where mr Gordon. They can be here 2 more years doesn't matter. Sargent thorton said I not worried about your problems, I have bigger things to worry about. Sargent thorton said when you have the letter I told you about call him. I tried to explain I have to call my insurance company to locate a doctor. I explained to the insurance company what happened. . they said I should sue them for this treatment. I said I cant afford a lawyer. I figure out something. I spoke to internal revenue service. They requested I send in the reports and seek help soon. My mother heard everything from the speaker phone. Also my new doctor and office personal are very afraid of the suffolk police. For safety reasons I can not give out his name unless the judge asks me personal.

(v)

(c)

I request 2 million dollars for my non profit foundation. I am also a non profit foundation. I am tax exempted 501c3 federal and state. You can say he was threatening my foundation rights to except a legal donation. He forced me not to donate. I own and run a small foundation. Its only for charity. We don't make profit.. Its to help our communities and other non profit foundations. I believe sargent thorton knew what I may have to do legally if we have problems with our return of our property. Our foundation is threatened not to donate. This is federal. I have written a report I will give with this. It is our third report

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 08/14, 2018

Signature of Plaintiff James E Gordon

Printed Name of Plaintiff JAMES E GORDON